

# Procedures for Filing an Application

*The person who prepares the Application for Relief From Abuse is called the "Applicant" in the restraining order process. The person against whom the Application is filed is called the "Respondent."*

## Forms Needed to Apply

Complete an Application for Relief From Abuse (JD-FM-137), and an Affidavit (JD-FM-138), following the instructions printed on the top of each form. If you are seeking temporary custody of children, you must also complete an Affidavit Concerning Children (JD-FM-164).

## Fees

There are no court fees charged for the filing of the initial Application or for any motion to modify or extend the order. The fee for service of the Application and any ex parte order will be paid for by the Judicial Branch.

## Application Procedures

The Applicant must submit the completed forms to the clerk. The Application and Affidavit(s) must be signed in the presence of a clerk, notary public or Commissioner of the Superior Court.

The Application and Affidavit(s) will be reviewed by a Judge. The Applicant may be required to testify in court when the Judge reviews the Application.

# Next Steps

*After the Judge Rules on the Application*

If the Application for Relief From Abuse is granted, the clerk's office will process the papers and return to the Applicant two (2) certified copies of any ex parte Restraining Order Relief From Abuse (JD-FM-139) and the original Application, Affidavit(s) and Order. The clerk will send a copy of the order or the information contained therein to law enforcement within forty-eight hours.

## Service of Process on the Respondent

The Applicant should immediately bring the original Application (JD-FM-137), Affidavit(s) (JD-FM-138 and, if applicable, JD-FM-164), and Restraining Order Relief From Abuse (JD-FM-139) or Order and Notice of Court Hearing (JD-FM-140) to a State Marshal or any proper officer for service. A current list of State Marshals may be obtained from the Judicial Branch web site at [www.jud.state.ct.us](http://www.jud.state.ct.us) or from the clerk's office. At certain court locations, a State Marshal will be at the courthouse at established times during the day to help facilitate service. The State Marshal or other proper officer must serve a copy of these papers on the Respondent at least five days before the hearing date to notify that person of the ex parte order, if any, and hearing date.

If ex parte relief was ordered, the Applicant should keep one of the certified copies of the Restraining Order Relief From Abuse (JD-FM-139) with her or him at all times and the other in a safe place.

After the State Marshal has served the papers, the original papers must be returned to the clerk's office so that the clerk can perform all necessary administrative and clerical tasks required before the scheduled court hearing date. It is recommended that the papers be returned to the clerk's office at least two (2) full working days before the scheduled hearing date.

## Firearm Restrictions

Firearm restrictions apply to individuals subject to restraining or protective orders. A notice of the firearm restrictions is printed on the Restraining Order Relief From Abuse and Order and Notice of Court Hearing Relief From Abuse forms.

# The Court Hearing

*Court Procedure*

The Applicant must be present in court at the time and date scheduled for the hearing if she or he wants the court to enter or continue a restraining order. If the Respondent wishes to be heard concerning the Application, that person must also appear at the time and date scheduled.

At the hearing, the Applicant will be able to present to the Judge the reasons for seeking or continuing the restraining order and the Respondent will have the opportunity to be heard. Witnesses or evidence that will support the Applicant's claims or the Respondent's defense should be brought to court.

## After the Hearing

After the hearing, if the restraining order is granted by the Judge, the Applicant will receive two (2) certified copies of a new Restraining Order Relief From Abuse (JD-FM-139) form. A copy will be given or mailed to the Respondent. The clerk will send a copy of the order or the information contained therein to law enforcement within forty-eight hours.

The Applicant should keep one of the certified copies of the Restraining Order Relief From Abuse (JD-FM-139) with her or him at all times and the other in a safe place.

# Duration of the Order

*Effective Period of the Restraining Order*

The orders after hearing are effective for six months unless a different period is ordered by the court. The Applicant should contact the police department immediately and file a complaint if the Respondent violates any order issued.

Extending the Restraining Order

If the Applicant wants the restraining order to extend beyond the period ordered by the court, that person must submit a Motion to Extend to the clerk’s office. To help prevent the order from lapsing, the motion should be submitted at least two to three weeks before the restraining order expires. After the motion is submitted, the clerk will schedule a hearing, and return the motion to the Applicant for service on the Respondent. On the hearing date the same court procedures apply as those described in “The Court Hearing” section of this brochure.


*Disclaimer: These procedures have been compiled by the Judicial Branch as a public service and pursuant to the provisions of C.G.S. § 46b-15b. They are based upon the Connecticut General Statutes in effect at the time of Publication. This information is not intended as a substitute for obtaining legal advice from a Connecticut attorney. You are solely responsible for any actions you take on your own behalf. The clerk’s office may assist you with procedural questions, however, the staff cannot act as your attorney or give you legal advice and are not responsible for any errors or omissions in these procedures. If you feel you need more information or assistance, you should either consult an attorney or read the appropriate sections of the Connecticut General Statutes and the Connecticut Practice Book.*

Domestic Violence Programs and Counseling Services


Statewide Hotline 888-774-2900

ANSONIA	
The Umbrella Program	203-736-9944
BRIDGEPORT	
Center for Women and Families of Eastern Fairfield County	203-384-9559
DANBURY	
Women’s Center of Greater Danbury, Inc.	203-731-5206
DANIELSON	
Domestic Violence Program United Services, Inc.	860-774-8648
ENFIELD	
Network Against Domestic Abuse of North Central CT	860-763-4542
GREENWICH	
Domestic Abuse Services of Greenwich	203-622-0003
HARTFORD	
Hartford Interval House	860-527-0550
MANCHESTER	
Interval House	860-645-4033
MERIDEN	
Meriden-Wallingford Chrysalis	203-238-1501
MIDDLETOWN	
New Horizons	860-347-3044
NEW BRITAIN	
Prudence Crandall Center	860-225-6357
NEW HAVEN	
Domestic Violence Services of Greater New Haven	203-789-8104
NEW LONDON	
Women’s Center of S.E. Connecticut	860-701-6000
NORWALK	
Domestic Violence Crisis Center	203-852-1980
SHARON/FALLS VILLAGE	
Women’s Support Services	860-364-1900
STAMFORD	
Stamford Domestic Violence Crisis Center	203-357-8162
TORRINGTON	
Susan B. Anthony Project	860-482-7133
WATERBURY	
Safe Haven	203-575-0036
WILLIMANTIC	
Domestic Violence Program United Services, Inc.	860-456-9476

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Procedures for



# Relief From Abuse Process

STATE OF CONNECTICUT SUPERIOR COURT